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Remarks

In the Office Action mailed from the United States Patent and Trademark Office on August 25, 2005, claims 1-80 were indicated as pending and were subject to a restriction requirement and election of species.

According to the Examiner, restriction is required of the claimed invention between claim groups I-XIX as follows.

Groups I-VII: specific sequences for the peptide that binds LOX-1.

- I. Claims 1-31, 33-44, and 46-48, drawn to compounds and compositions of formula S-(L)n-A wherein A is SEQ ID No. 1, classified in class 424, subclass 1.69.
- II. Claims 1-31, 33-44, and 46-48, drawn to compounds and compositions of formula S-(L)n-A wherein A is SEQ ID No. 2, classified in class 424, subclass 1.69.
- III. Claims 1-31, 33-44, and 46-48, drawn to compounds and compositions of formula S-(L)n-A wherein A is SEQ ID No. 3, classified in class 424, subclass 1.69.
- IV. Claims 1-31, 33-44, and 46-48, drawn to compounds and compositions of formula S-(L)n-A wherein A is SEQ ID No. 4, classified in class 424, subclass 1.69.
- V. Claims 1-31, 33-44, and 46-48, drawn to compounds and compositions of formula S-(L)n-A wherein A is SEQ ID No. 5, classified in class 424, subclass 1.69.
- VI. Claims 1-32, 35-45, and 48, drawn to compounds and compositions of formula S-(L)n-A wherein A is SEQ ID No. 6, classified in class 424, subclass 1.69.
- VII. Claims 1-31, 35-44, and 48, drawn to compounds and compositions of formula S-(L)n-A not encompassed by Groups I-VI above, classified in class 424, subclass 1.69.

Groups VIII-XIX: methods of imaging specific conditions.

- VIII. Claims 49-80, drawn to a method of imaging atherosclerosis, and I classified in class 424, subclass 9.1.
- IX. Claims I and 49-80, drawn to a method of imaging vulnerable plaques, classified in class 424, subclass 9.1.
- X. Claims I and 49-80, drawn to a method of imaging coronary artery disease, classified in class 424, subclass 9.1.
- XI. Claims I and 49-80, drawn to a method of imaging renal disease, classified in class 424, subclass 9.1.

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- XII. Claims I and 49-80, drawn to a method of imaging thrombosis, classified in class 424, subclass 9.1.
- XIII. Claims I and 49-80, drawn to a method of imaging transient ischemia due to clotting, classified in class 424, subclass 9.1.
- XIV. Claims I and 49-80, drawn to a method of imaging stroke, classified in class 424, subclass 9.1.
- XV. Claims 1 and 49-80, drawn to a method of imaging myocardial infarction, classified in class 424, subclass 9.1.
- XVI. Claims I and 49-80, drawn to a method of imaging organ transplant, classified in class 424, subclass 9.1.
- XVII. Claims I and 49-80, drawn to a method of imaging organ failure, classified in class 424, subclass 9.1.
- XVIII. Claims I and 49-80, drawn to a method of imaging hypercholesterolemia, classified in class 424, subclass 9.1.
- XIX. Claims 1, 49-61, 65-76, and 80, drawn to a method of imaging a condition not encompassed by Groups 8-18 and SEQ ID Nos. 1-6 above, classified in class 424, subclass 9.1.

Applicants hereby elect Group VII, i.e., those claims wherein A comprises the sequence TPP.

Election of Species

The Examiner also required an election of the species for: a specific S, L, n, Z, A, metal chelating agent, and tissue being imaged. Applicants elect species as follows:

- (i) as the signal moiety S, Applicants elect fluorescein;
- (ii) as the linker L, Applicants elect SEQ ID NO.: 6 (i.e., KKGG);
- (iii) as n, Applicants elect 1 (i.e., the compound includes a linker);
- (iv) as Z, Applicants elect values greater than 50;
- (v) as A, Applicants elect TPP;
- (vi) as a metal chelating agent, Applicants elect TETA; and
- (vii) as a tissue being imaged, Applicants elect coronary disease.

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Conclusion

Applicants respectfully requests substantive examination of this application. If the Examiner has any questions regarding this application, he is invited contact the undersigned attorney at 518-387-6304.

A two-month extension of time is required to have the present response entered. Applicants hereby petition for an extension of time and authorize the Commissioner to charge any required fees to Applicants' Deposit Account No. 07-0868.

Respectfully submitted,



Maureen A. Bresnahan
Attorney for the Applicants
Reg. No. 44,559

Date: November 17, 2005
General Electric Company
Building K1, Room 3A64
Niskayuna, New York 12309
Telephone: (518) 387-6304 or
(518) 387-7122